

S/N 10/018,964

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	PATERSON ET AL.	Examiner:	S. SWOPE
Serial No.:	10/018,964	Group Art Unit:	1642
Filed:	APRIL 11, 2002	Docket No.:	11613.33USWO
Confirmation No.:	6025	Customer No.:	23552
Title:	CDK4 BINDING PEPTIDE		

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SUPPLEMENTAL AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Applicants submit the following Amendment. Please enter the following amendments and remarks prior to examination of the claims in this application for which a Request for Continued Examination was filed on January 18, 2006.

**Amendments to the Claims** are reflected in the listing of claims that begins on page 2 of this paper.

**Remarks** begin on page 4 of this paper.

**Amendments to the Claims**

This listing of claims will replace all prior versions and listings of claims in the application.

**Listing of Claims**

1. (Previously Presented) An isolated peptide comprising:  
Tyr-Ser-Gly-Pro-Pro-Ser-Gly-Ala-Arg-Arg-Arg-Asn-Cys-Tyr-Glu (SEQ ID NO:1);  
wherein the isolated peptide does not include a basic helix-loop-helix (bHLH) domain;  
wherein the isolated peptide binds cyclin dependent kinase 4.
2. (Canceled)
3. (Currently Amended) A fusion protein comprising:
  - (a) a peptide comprising Tyr-Ser-Gly-Pro-Pro-Ser-Gly-Ala-Arg-Arg-Arg-Asn-Cys-Tyr-Glu (SEQ ID NO:1),  
wherein the isolated peptide does not include a basic helix-loop-helix (bHLH) domain,  
wherein the peptide binds cyclin dependent kinase 4; and
  - (b) a heterologous amino acid sequence.
4. (Original) The fusion protein of claim 3 wherein the heterologous amino acid sequence comprises a nuclear localization signal.
5. (Previously Presented) The fusion protein of claim 4 wherein the peptide is at the C-terminus of the fusion protein.
- 6-8. (Canceled)
9. (Withdrawn and Currently Amended) A method of inhibiting the activity of CDK4 comprising:  
contacting CDK4 with a CDK4 binding peptide comprising:

Tyr-Ser-Gly-Pro-Pro-Ser-Gly-Ala-Arg-Arg-Arg-Asn-Cys-Tyr-Glu (SEQ ID NO:1), wherein the peptide does not include a basic helix-loop-helix domain in an amount effective to inhibit the activity of CDK4.

10-11. Cancelled.

**REMARKS**

Applicants respectfully request entry of the Amendment and reconsideration of the claims.

Please cancel claim 8 without prejudice or disclaimer. Applicants reserve the right to pursue the subject matter of this claim in a continuation application.

Applicants have amended claims 3 and 9 to clarify the subject matter. Support for the claim amendments can be found throughout the specification, including at page 7, line 31 to page 8, line 4. No new matter has been added through the claim amendments.

Claims 1, 3-5, and 9 are pending; claim 9 is withdrawn and currently amended. Applicants request rejoinder of the method claim 9 upon notice of allowance of claim 1.

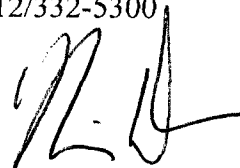
Applicants thank Examiner Swope for her phone call on March 24, 2006, to discuss the patentability and allowability of the claims. This amendment is drafted in keeping with the comments and discussion of the interview. In said discussion, Examiner Swope indicated that claims 1, 3-5, and 9 would be allowed.

In view of the foregoing and the Amendment and Response filed January 18, 2006, Applicants respectfully request reconsideration and withdrawal of the pending objections to the specification and the claims and rejections under 35 U.S.C. § 112, first and second paragraphs.

In view of the foregoing amendments and remarks, Applicants respectfully request a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

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